

29 NOVEMBER 1946

I N D E X  
of  
WITNESSES

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I N D E X  
of  
EXHIBITS  
(none)

Friday, 29 November, 1946

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INTERNATIONAL MILITARY TRIBUNAL  
FOR THE FAR EAST  
Court House of the Tribunal  
War Ministry Building  
Tokyo, Japan

The Tribunal met, pursuant to adjournment,  
at 0930.

- - -

Appearances:

For the Tribunal, same as before with the  
exception of the HONORABLE R. B. PAL, Member from  
India, not sitting.

For the Prosecution Section, same as before  
with the addition of LIEUTENANT-COLONEL J. S. S.  
DANSTE, Assistant Prosecutor from the Netherlands.

For the Defense Section, same as before.  
The Accused:

All present except OKAWA, Shumei, who is  
represented by his counsel.

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(English to Japanese and Japanese  
to English interpretation was made by the  
Language Section, IMTFE.)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now in session.

3 THE PRESIDENT: Major Moore.

4 LANGUAGE ARBITER (Major Moore): Mr. President,  
5 with the Tribunal's permission, I present a language  
6 correction. Exhibit 1276, record page 11,368, line  
7 18, substitute "fellows" for "traitors."

8 THE PRESIDENT: Thank you, Major.

9 Mr. Justice Mansfield.

10 MR. JUSTICE MANSFIELD: If the Tribunal  
11 please, I desire at this stage to present Lieutenant  
12 Colonel J. S. S. Damste, the Assistant Prosecutor  
13 from the Netherlands, who is a member of the bar of  
14 Sourabaya, Java.

15 THE PRESIDENT: Before you leave that sec-  
16 tion, Mr. Justice Mansfield, do you propose to tender  
17 the whole of the affidavits in evidence and then read  
18 an excerpt, or do you intend to tender the affidavit  
19 for identification merely? It makes a difference to  
20 the attitude of the Court.

21 MR. JUSTICE MANSFIELD: We intend to tender  
22 only that portion of the affidavit that is marked as  
23 an excerpt. That is the only portion upon which we  
24 will rely.

25 THE PRESIDENT: But the synopsis will be of

COATES

CROSS

1 the whole, will it not?

2 MR. JUSTICE MANSFIELD: The synopsis will  
3 only be of that portion of the affidavit, namely,  
4 the excerpts upon which the prosecution relies.

5 THE PRESIDENT: It will be a synopsis of  
6 an excerpt?

7 MR. JUSTICE MANSFIELD: Synopsis of an  
8 excerpt, yes.

9 THE PRESIDENT: That is all I wanted to know.  
10 Mr. Logan.

11  
12 A L B E R T E R N E S T C O A T E S, called as  
13 a witness on behalf of the prosecution, resumed  
14 the stand and testified as follows:

15 CROSS-EXAMINATION

16 BY MR. LOGAN (Continued):

17 Q Doctor, of these beatings to which you tes-  
18 tified, how many of them did you personally see?

19 A In Burma I personally saw and felt on my own  
20 body four. I could truthfully say that I saw at  
21 least thirty to forty others in Nakompaton, Siam.  
22 The number I couldn't calculate, but I should think  
23 it would run into a hundred.

24 Q You actually saw the beatings yourself, or  
25 you examined the men after the beatings took place?



COATES

CROSS

1 A I saw them myself. For example --

2 Q I mean you actually saw the assaults take  
3 place?

4 A Yes, I could give some illustrations, if  
5 the Court please.

6 Q Did you see any assaults by sergeants or  
7 corporals on the Japanese' own men?

8 A Yes, once or twice.

9 Q Were they Koreans too?

10 A Mostly.

11 Q Now, when you sailed on the England-Maru,  
12 was that a troopship?

13 A It was in so far as it carried some Japanese  
14 officers in good quarters.

15 Q Had it been used to transport Japanese  
16 soldiers?

17 A That I could not say.

18 Q While you were at Tavoy, you testified that  
19 you received a little more drugs than you received  
20 at Mergui, is that correct?

21 A Yes. That was in the nature of a reward  
22 from the Japanese doctor for some --

23 Q I am not asking you about the reward. You  
24 said you received a little more drugs there than you  
25 received at the hospital in Mergui. Is that correct?

COATES

CROSS

1 A Yes.

2 Q So I assume by "a little more" you mean  
3 that you did receive some at Mergui, is that right?

4 A Yes, at Mergui --

5 Q You did receive drugs at Mergui, then?

6 A We received a few.

7 Q Then, do you want to change your statement,  
8 doctor, on page 11,409 of the record when you told  
9 the Court "At Mergui drugs were not supplied?"

10 A I don't quite get the question, sir.

11 Q You testified the other day that at Mergui  
12 Hospital "drugs were not supplied." Is that state-  
13 ment correct?

14 A That is so.

15 Q And today you say you received some at  
16 Mergui. Now which of those statements is correct?

17 A Some drugs were received by the working  
18 camp. Those were the drugs received at Mergui. The  
19 hospital with these dysentery cases we received no  
20 drugs.

21 Q Did you receive any drugs while your 1500  
22 prisoners were at this school at Mergui?

23 A No. At that stage, in the early three  
24 weeks of our sojourn, the organization was not such  
25 as to permit the supply of drugs.

COATES

CROSS

1 Q After you were there for three weeks did you  
2 get drugs?

3 A As I replied before, we got drugs for the  
4 working camp men, particularly quinine against malaria.

5 Q What else did you get?

6 A I don't recollect any other drugs at that  
7 time.

8 Q How many classrooms were there in this  
9 school in which the 1500 men were placed?

10 A I couldn't answer that with accuracy.

11 Q What is your best recollection?

12 A Of that I have no recollection.

13 Q How long were you at the school?

14 A I was there for about, oh, five days myself.  
15 I took ill with amoebic dysentery.

16 Q Were there sanitation facilities in this  
17 school?

18 A There were a few small latrines.

19 Q Do you know of any other building in Mergui  
20 which could have been used to take care of these  
21 prisoners of war?

22 A No. I never had the opportunity of doing  
23 a reconnaissance of the town.

24 Q Serious cases of dysentery were transferred  
25 from that school to the local hospital, is what you

COATES

CROSS

1 testified to, doctor. Is that in accordance with  
2 good medical practice, to segregate such cases?

3 A That is so.

4 Q And you say three men were executed for en-  
5 deavoring to escape. Were they given a trial, do  
6 you know of your own knowledge?

7 A All I know is some form of inquiry was  
8 held and the executions took place soon after their  
9 arrest.

10 Q But you can't state that they were not  
11 tried, is that correct?

12 A I couldn't make a statement on that. I was  
13 not the camp commander. I was medical officer only.  
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1 Q How long were you at the 30 kilo camp?

2 A About six weeks.

3 Q Which weeks were they?

4 A The dates -- the exact dates I can't say,  
5 but I left the 30 kilo camp somewhere about the end  
6 of May; arrived in the middle of April.

7 Q You testified the other day that when these  
8 patients were ordered out of the hospital at 30  
9 kilo camp, a great number of them died in the next  
10 month or two. Do you know that of your own knowledge?

11 A Yes. A large number of these patients  
12 were men that I personally knew, had known since  
13 Malaya.

14 Q Did you leave the camp with them?

15 A Yes.

16 Q You went with them -- left the camp?

17 A Yes. The camp was completely closed down  
18 as a hospital, and it had no more use; so I went as  
19 an ordinary prisoner of war to my kumi, that is, a  
20 particular section to which I belonged as a prisoner  
21 to a working camp.

22 Q How long did you stay with them at this  
23 working camp?

24 A At the 75 kilo camp until the 12th of July.

25 Q Going back to this town of Mergui, this



COATES

CROSS

1 school, did you see any -- is that a small town?

2 A No. I should say it is a sizeable town.

3 Q What do you mean by "a sizeable town"?

4 A It is a trading port marked on the map.

5 Q Are there any other buildings in that town  
6 as large as that school?

7 A Of that I have no definite knowledge. It  
8 never was my privilege to pay a visit to the place  
9 and investigate those matters. I was a prisoner of  
10 war and subject to all the restrictions of prisoners  
11 of war.

12 Q Do you know what the population of the town  
13 is?

14 A No.

15 Q Can you give us an estimate?

16 A No.

17 Q Now, while you were at 75 kilo camp, what  
18 drugs did you receive there?

19 A We received drugs in the 75 kilo camp,  
20 something like the following proportions: quinine,  
21 about five grains a man per day. At that time,  
22 that camp was in the position that it received  
23 through the Quartermaster's Department a little issue  
24 of quinine to the extent of five grains per man per  
25 day. I also received a box about once a fortnight



COATES

CROSS

1 containing some bandages, a little sulpha, and,  
2 or --

3 Q Epsom salts?

4 A A pound of epsom salts; quite useful.

5 Q That's the same type of box you said you  
6 received at the 55 kilo camp, isn't that right?

7 A Yes. We received a little candle box, of  
8 that size, in the 55 kilo camp. The contents were  
9 less, and, of course, the numbers were six times as  
10 great.

11 Q While you were at this 75 kilo camp you  
12 testified that no proper medical treatment was  
13 afforded you at first. I assume by that that there  
14 was some medical treatment given at that place; is  
15 that right?

16 A It must be realized that the issue of  
17 drugs there was of the magnitude that would be  
18 issued to a small section of healthy men for what  
19 might be called the regimental aid post purposes.

20 Q Well, there were three thousand men there  
21 at first, and then they were all, with the exception  
22 of three hundred, sent to the 105 kilo camp. Did  
23 you get the same amount of drugs for the three  
24 hundred as you did for the three thousand? Is that  
25 what you want to tell us?

COATES

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1           A    The drug issue to us was carefully calcu-  
2           lated, and on the basis of the numbers in the camp;  
3           and so the supply was that to a camp that would be  
4           regarded as containing healthy men, not three  
5           hundred derelicts.

6           Q    Were you confined for the most part to the  
7           hospitals at these various camps?

8           A    You mean by "the hospitals" the hut in  
9           which sick were segregated, sir?

10          Q    Yes.

11          A    I was only in one working camp, and that  
12          was the 75 kilo camp, for a short time before the  
13          three thousand-odd were broken up and sent away.  
14          And, during that time, I assisted the local regiment-  
15          al medical officers in the hut which was set apart  
16          for the heavy sick; but I had access to the other  
17          huts and saw the men and the conditions under which  
18          they were living. I actually lived myself at that  
19          time not in the hospital but with the senior  
20          officers in charge of the men -- prisoner of war  
21          officers.

22          Q    How about the other camps besides this work  
23          camp at 75 kilo?

24          A    Well, the only other camps I was in were  
25          the 55 kilo in Burma, and then, of course, the

COATES

CROSS

1 Nakompton in Siam and, for a few days, in a  
2 transient camp on the way to Nakompton.

3 Q So that, primarily, your testimony is  
4 confined to these three camps, is that it; that is,  
5 matters you would know of your own knowledge?

6 A No. I was at Thanbyuzayat for a period  
7 between February and April, 1943. Mergui and Tavoy  
8 you have mentioned. And I also visited the 50 kilo  
9 camp in Burma where our F and H forces were. In  
10 addition, during the time of my sojourn at the  
11 transient camp in Siam, I visited Chungkai.

12 Q In any of these camps, doctor, did you  
13 ever have any opportunity or occasion to visit  
14 any hospitals or places set aside as such for  
15 treatment of Japanese soldiers?

16 A Yes, on two occasions: once in Tavoy  
17 when I helped the Japanese with a serious case  
18 and saw him once or twice afterwards, and the  
19 morning following the Armistice declaration when  
20 I, with a number of other officers, visited the  
21 neighboring camp at Nakompton, actually just over  
22 the wall, and offered our services.

23 Q So that, prior to the Armistice, doctor, you  
24 only visited the Japanese hospital on one occasion,  
25 and that was for one day, is that correct?

COATES

CROSS

1           A    It wouldn't be correct to say one day.  
2   I saw that man several times after his operation  
3   with the Japanese doctor.

4           Q    Three days?

5           A    Yes.

6           Q    So that during this entire period of time,  
7   doctor, you had no occasion to see what drugs the  
8   Japanese soldiers had in these hospitals for Japan-  
9   ese soldiers?

10          A    I had the opportunity at Tavoy of observing  
11   that they had all the facilities of the local  
12   British Civil Hospital with a good dispensary, good  
13   operating theatre, and good store of drugs.

14          Q    And that was the place you visited after  
15   the war was over?

16          A    No. That was in 1942.  
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1 Q But you don't know whether or not the supply  
2 of drugs that you saw at the hospital on that one  
3 particular occasion continued during the entire period  
4 of time, do you?

5 A No.

6 Q And that applies to all the other camps, doesn't  
7 it?

8 A You mean my answer, "no", yes; that is right.

9 Q You also testified that while at 55 Kilo  
10 dysentery cases which were infective were isolated. That  
11 is proper medical practice, isn't it, Doctor?

12 A Infected with what, sir?

13 Q I believe it was dysentery.

14 A Amoebic dysentery.

15 Q Well, you testified, "If the dysentery was  
16 infective these patients were isolated." That is good  
17 medical practice, isn't it?

18 A They were only isolated in so far as they  
19 were put altogether in one hut and that was only some  
20 yards from other huts containing other patients. It was  
21 good practice to isolate them in that way.

22 Q Now, you testified that while you were at 55  
23 Kilo Camp, you protested to the authorities at Thanbyuzayat,  
24 is that right?

25 A Yes, I protested.

COATES

CROSS

1 Q Did you do that orally or in writing?

2 A I did it in writing.

3 Q Do you know if your letter was ever received?

4 A Yes, the letter was received.

5 Q What happened after the letter was received,  
6 if anything?

7 A Brigadier Varley wrote to me and told me  
8 that he thought I must have been exaggerating the figures.

9 Q Who was he?

10 A He was the Senior Nakampaton officer in the  
11 Burma-Siam Railway, POW. I replied that these figures  
12 since the last letter were even worse and that I'd like  
13 some one to come and see for himself.

14 Q I didn't quite get his name, Doctor. Was he  
15 a Japanese officer?

16 THE PRESIDENT: Where is he now?

17 THE WITNESS: Brigadier Varley was a prisoner  
18 of war who went down on a ship going from Siam to Japan.

19 Q Well, Doctor, when I speak about protests, I  
20 am referring to protests to Japanese officers. Did  
21 you ever make any protests to any Japanese officers?

22 A My medium of protest was Doctor HIGUCHI, who  
23 visited the camp. To him I verbally and I violently  
24 protested. My method of protest through the POW  
25 control was through Brigadier Varley who handed it on



COMTS

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1 to Colonel NAGATOMO.

2 Q What, if anything, happened after you  
3 handed in your protest?

4 A About three weeks later Lieutenant-Colonel  
5 NAGATOMO visited our camp with Brigadier Verley.

6 Q What happened?

7 A He inspected a number of the very sick men  
8 himself and then some few weeks later he sent out to  
9 the camp a little Japanese doctor known as Dr. AONUMA  
10 to replace the camp commander who hitherto had been  
11 only the sergeant of the guard.

12 Q So that your protest brought some results,  
13 is that it, Doctor?

14 A Yes.

15 Q Now, you also -- withdraw that -- the  
16 temperature down there is very warm, isn't it, Doctor?

17 A More humid than warm. In some parts of the  
18 year particularly towards the end it is rather cold --  
19 the dry season. So much so then men lit fires at  
20 night and used to sit around them to keep warm.

21 Q While you were at 55 Kilo in July, wasn't  
22 it very warm at that period of time?

23 A It is the usual tropical temperatures for  
24 that latitude.

25 Q So the fact that the men had very few

COATES

CROSS

1 clothing at that period of time was not of much moment,  
2 was it?

3 A I don't think that would be quite correct.  
4 I think clothing probably had some other value as a  
5 cover against mosquitoes and as some sort of inter-  
6 mediary between one's skin and bamboo slats.

7 Q Didn't these men while at 55 Kilo have any  
8 clothes at all?

9 A Many of them only had a pair of ragged shorts  
10 in which they had worked on the railway, their shirts  
11 having long ago disappeared in rags with sweat and wear  
12 and tear.

13 Q Then in your statement the other day, page  
14 11425 of the record, "the men had no clothing," is a  
15 little exaggerated, is that it?

16 A In the sense that it was not a nudist colony,  
17 yes.

18 Q Now, you also testified that tropical ulcers  
19 were prevalent in both Malaya and Sumatra before the  
20 Japanese came in, is that correct?

21 A That is correct, but I drew attention to the  
22 fact that these ulcers were something quite different.

23 Q I remember that, Doctor. These tropical  
24 ulcers are also due to lack of vitamins, is that right?

25 A The tropical ulcers which we saw in Malaya

COATES

CROSS

1 and Sumatra occurred in well-fed men. There was no  
2 deficiency of vitamins and so I would say that vitamin  
3 lack played no part. They are due, as we know, to a  
4 mixed infection. I won't go into technicalities here.  
5 In other words, such ulcers are superficial. They do  
6 not invade the investing sheath of--

7 Q Well, we don't want to go into that now.

8 A You don't want that?

9 Q No. So tropical ulcers is a disease which is  
10 more or less prevalent in jungle territory, is that so?

11 A Yes.

12 Q How long were you at Kilo 55?

13 A From the 12th of July to the 24th of December.

14 THE PRESIDENT: Are barefooted men more likely  
15 to get tropical ulcers than others?

16 THE WITNESS: I beg your pardon?

17 THE PRESIDENT: Does the absence of boots play  
18 any part in tropical ulcers?

19 THE WITNESS: Yes, the bare skin exposed to  
20 abrasion in the jungle by bamboo scratches and by bits  
21 of stone flying up from the area worked certainly was  
22 the primary cause of the ulcer.  
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COATES

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1 Q Japanese soldiers were also exposed to the  
2 possibility of getting scratches and abrasions on their  
3 bare legs, too, isn't that so?

4 A No, they were well clad and they had their  
5 legs well protected.

6 Q Didn't they wear shorts, too? Didn't they  
7 wear short trousers in this hot weather?

8 A As I saw them on the railway they wore puttees  
9 and trousers which covered the knees completely.

10 Q How about when you saw them when they weren't  
11 on the railroad?

12 A The only ones that I saw wearing shorts were  
13 those not engaged in heavy work, meaning officers --  
14 officers, themselves.

15 Q How do you account for the fact that they got  
16 ulcers, too?

17 A Well, it is obvious that some of them from  
18 time to time would be exposed to slight scratches.

19 Q Doctor, you testified to a typical day while  
20 you were at Kilo 55. Remember that?

21 A Yes.

22 Q And you say now that you were there from July  
23 to December; is that correct?

24 A Yes.

25 Q And among some of the things you did on a



COATES

CROSS

1 typical day, you stated that "In the afternoon pro-  
2 ceeding to amputate nine or ten legs..." Now, that  
3 wasn't a daily occurrence during those five months,  
4 was it?

5 A No, I stated that I took off 114 legs, my  
6 colleagues a few others in that camp; and I think  
7 arithmetic would show that we didn't do that all the  
8 time.

9 Q You had cocaine there for the purpose of  
10 using it as a spinal anesthetic, is that right?

11 A Yes.

12 Q Did you have cocaine at any other camps?

13 A The bottle of cocaine was given to me by one  
14 of our dental officers. He carried it with him from  
15 Singapore as part of his own kit from Australia.

16 Q Doctor, perhaps you didn't understand the  
17 question. I asked you if you had cocaine at the other  
18 camps.

19 A No.

20 Q Then did you visit 50 Kilo Camp, and for how  
21 long a period of time were you there?

22 A Sometime in November, and I spent a day there.

23 Q Didn't give you much opportunity to examine  
24 the entire camp, then, did it?

25 A Yes.

COATES

CROSS

1 Q How large a camp was it?

2 A Something like the 50 Kilo, about 1800 prisoners,  
3 something like that. I was able to go around and see  
4 bad cases and advise a little to the medical officers  
5 there, see their worst problems.

6 Q Doctor, will you describe for us a typical meal  
7 that these prisoners of war received?

8 A Breakfast, rice; lunch, rice and vegetable soup;  
9 dinner at night, rice and vegetable soup. With each  
10 meal or sometimes twice a day only, some drink, either  
11 tea or boiled water.

12 Q Did they receive any meat?

13 A What meat was received was made into a stock  
14 for the vegetable soup. It was not enough to make any  
15 man have a little piece all to himself.

16 Q Well, what did you mean the other day when  
17 you testified that the meat ration was cut down a third?

18 A Just what I said.

19 Q You mean, now, they didn't have a separate  
20 supply of meat to eat; just that it was put in the  
21 soup, is that it?

22 A Yes. If one cut up the meat to give each man  
23 a piece -- we did try that in one camp -- you could  
24 get a tiny, little cube about a centimeter in size.

25 Q How many occasions during this entire period



COATES

CROSS

1 of time did you have to observe what Japanese soldiers  
2 ate?

3 A Oh, on many occasions I, myself, was a guest;  
4 I should say on three occasions.

5 Q A guest?

6 A A guest. I was ordered--

7 Q Do I understand the Japanese soldiers invited  
8 you to eat with them?

9 A Yes. At the 55 Kilo Camp on one occasion  
10 I observed their meal because I was commanded, with  
11 all my medical officers, to come in and eat with  
12 them.

13 Q Do you know if they invited any other  
14 prisoners of war to eat with them?

15 A Oh, yes. On many occasions Japanese guards --  
16 that is, Japanese proper -- would give a little rice  
17 or give a little something to a prisoner of war. The  
18 individual NCO and private was not ungenerous to  
19 prisoners of war, being a Japanese.

20 Q In other words, they were willing to share  
21 what they had, is that it?

22 A Well, not in a general sense. They did that  
23 sporadically, when the spirit moved them.

24 Q Did the fare that the Japanese soldiers  
25 received vary materially from what the prisoners of war

COATES

CROSS

1 received?

2 A Yes. They had, as a rule, more seasoning  
3 and they had fish and more meat.

4 Q But aside from having a little more, was the  
5 food they received the same type, same kind that was  
6 given to the prisoners of war?

7 A Yes, it was, but they had additional stuffs,  
8 such as onions and sweet potatoes at the 55 Kilo Camp,  
9 as an example. These are very valuable vegetables.

10 Q Did they have onions and sweet potatoes at the  
11 other camps?

12 A Well, I couldn't give very much of an opinion  
13 there. I can recall on a trek from the southern part  
14 of Burma up to Tavoy, arriving late one night with a  
15 lot of sick, and the Japanese sergeant, after having  
16 allowed me to put the sick in some old railway coaches,  
17 invited me to spend the evening around a fire and we  
18 consumed quite a nice meal.

19 Q I gather from what you have been saying today,  
20 Doctor, the Japanese soldiers were quite friendly with  
21 you, is that right?

22 A In patches they were.

23 Q Now, you don't know -- scratch that. Aside  
24 from these few occasions when you saw them eating sweet  
25 potatoes and onions, you don't know whether the supply

COATES

CROSS

1 of sweet potatoes and onions continued during the entire  
2 period of time for the Japanese soldiers while you were  
3 there?

4 A No.

5 Q Then, you went down to Nakompaton -- when was  
6 it, in December '43, is that right?

7 A Yes.

8 Q And there you received Red Cross supplies, is  
9 that right?

10 A In May we received a very small quantity, and  
11 in July quite a consignment of American Red Cross supplies.  
12 They were not adequate to treat the sick. For example,  
13 there was enough emetine to give a half course to  
14 250 out of 1500 amoebic dysentery cases.

15 Q What else did you receive from the American Red  
16 Cross at that time?

17 A A large number of things such as boot-mending  
18 apparatus, some rubber tubing, some large ampoules of  
19 glucose and saline, several barrels of Epsom salts, and  
20 a large number of bandages, some thousands.

21 THE PRESIDENT: We will recess for fifteen  
22 minutes.

23 (Whereupon, at 1045, a recess was taken  
24 until 1100, after which the proceedings were  
25 resumed as follows:)

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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Mr. Logan.

4 BY MR. LOGAN (Continued):

5 Q Doctor, did you finish telling us what was  
6 in the American Red Cross supplies?

7 A No.

8 Q Well, will you tell us what else was there?

9 THE PRESIDENT: In regard to the quantity  
10 received, is it worthwhile examining to any great  
11 extent about it, Mr. Logan? It cannot be suggested  
12 that it made up for any deficiencies in supplies from  
13 the Japanese sources.

14 MR. LOGAN: It can be suggested, your Honor,  
15 the Japanese did not use them, the large quantities  
16 there.

17 THE PRESIDENT: Well the evidence suggests  
18 to me -- I may misapprehend it -- that the Red Cross  
19 supplies were a small fraction of what was needed.

20 MR. LOGAN: Well, even if it was a small  
21 supply, your Honor, and both sides needed it, the  
22 prisoners of war got it; that is the point I am trying  
23 to make. I only have one or two questions left on  
24 this anyway, your Honor.

25 Q Tell us what else was in those supplies?

COATES

CROSS

1           A    I can remember a lot, but I have with me  
2 here the diary of the hospital Nakompaton, which  
3 contains the thing in great detail.

4           Q    Well, I don't want it in detail. Can you  
5 classify it in some way?

6           A    Yes, there was mepacrene, which is a drug  
7 used for malaria. Six months afterwards that was  
8 entirely consumed, even though it was used with great  
9 care for the very bad cases. Emetine, I have men-  
10 tioned, enough for a half a dose for only 250 of  
11 1500 amoebic dysenteries; sulphur drugs and such  
12 like, useful for bacillary dysentery; also some  
13 invalid food, but that, unfortunately, had been de-  
14 stroyed, and the packages, of which there was a  
15 large number, were empty; no surgical instruments,  
16 although I had to sign for them, the Japanese doctor  
17 informing me they had been lost.

18          Q    Speaking about surgical instruments for a  
19 mement, Doctor, what happened to yours when you were  
20 captured?

21          A    When I was captured I was a relic from a  
22 sunken ship, and had nothing but my boots on and  
23 my shirt and hat and trousers.

24          Q    Were you in the Army before the war, Doctor?

25          A    I was in the first World War for four and .



COATES

CROSS

1 one-half years years, and I served in the militia  
2 between the two wars as a volunteer in Australia.

3 Q But you were in private practice when this  
4 war broke out, is that right?

5 A I was in private practice, but I also held  
6 an appointment in connection with the military  
7 repatriation defense hospitals.

8 Q What is the regulation dress for the  
9 British and Australian troops in the tropics?

10 A I understand it is long trousers with some  
11 gaiters and boots, a shirt with long sleeves, hat.

12 Q Aren't short trousers and short-sleeved  
13 shirts regulation dress, tropical hats?

14 A No, I understand the short pants are only  
15 used for walking-out dress, not for work in the  
16 tropics.

17 THE PRESIDENT: What did the men, in fact,  
18 wear before they were captured?

19 THE WITNESS: Some of our men wore long  
20 pants; others of them wore shorts, according to the  
21 duties they were on at the time.

22 Q Getting back to these Red Cross goods,  
23 Doctor, I suppose, if the Japanese wanted to, they  
24 could have withheld them from the prisoners of war,  
25 isn't that right?



COATES

CROSS

1 A Yes.

2 Q At all these camps you were at, Doctor,  
3 did they have machine guns stationed around them?

4 A Machine gun nests were only built around  
5 our camp in May, June, and July, 1945. There were  
6 no machine gun nests of a comparable nature around  
7 any other camp that I was in prior to that time.

8 Q When you say "of a comparable nature," by  
9 that do I take it that there were machine guns around  
10 some of these other camps?

11 A No, I never saw any at any time, any sort  
12 of machine gun nests. There were, of course, guards  
13 who walked around the camp, and they were the sole  
14 protection.

15 Q Now, these beatings that took place at  
16 Nakompaton, to which you have testified, I under-  
17 stand the conditions improved considerably after they  
18 were reported, is that right?

19 A There would be periods after a severe  
20 epidemic of beatings when protests were made and  
21 there would be some improvement. There would be an  
22 outbreak of the same kind again; but, on the whole,  
23 as I have said, knowing the Japanese' general employ-  
24 ment of physical violence as a means of correction, I  
25 was not very surprised.

COATES

CROSS

1 Q But you say these were Korean guards, is  
2 that right?

3 A Not only Korean guards. I observed, myself,  
4 two Japanese officers do the same thing in our camp.

5 Q Now, Doctor, these beatings were more or  
6 less sporadic, weren't they?

7 A Yes.

8 Q And it was not the result of any plan on  
9 the part of anybody to inflict punishment; it was  
10 dependent on the individuals concerned, isn't that so?

11 A As I stated in my reports many times to the  
12 Japanese, it did not appear to be clear to us why  
13 they occurred. It was past our understanding in most  
14 cases.

15 THE PRESIDENT: Did you see the Japanese  
16 beating their own soldiers?

17 THE WITNESS: Yes.

18 Q It depended, didn't it, Doctor, on the  
19 individual personality of the one who inflicted the  
20 punishment?

21 A And the camp commander.

22 Q Did you ever see any order issued by any  
23 camp commander that punishment should be inflicted?

24 A Yes. We frequently received orders which we  
25 had to circulate to our prisoners of war that under

COATES

CROSS

1 all circumstances they would salute. It was im-  
2 possible sometimes for a sick man to salute.

3 Q Well, what I had in mind, Doctor, perhaps  
4 I didn't explain it properly, was there any order  
5 from the commander that any of the guards should  
6 inflict, by beating, punishment upon any of these  
7 prisoners of war?

8 A The guards were given a free hand by the  
9 Japanese to beat.

10 Q Did you ever see such an order?

11 A Such orders were published in Japanese,  
12 and I could not read them; but I was informed so,  
13 and also I have heard Japanese officers addressing  
14 us and telling us that that was so.

15 Q There again, Doctor, wouldn't that depend  
16 on who was the camp commander?

17 A To some extent, yes.

18 Q Do you know of any order that was ever  
19 issued by Marquis KIDO that prisoners of war should  
20 be punished?

21 A No.

22 Q Do you know of any order issued by him that  
23 medical supplies should be curtailed and that prison-  
24 ers of war should not receive food?  
25

THE PRESIDENT: Why put those questions to



COATES

CROSS

1 him in view of his opportunities of knowing those  
2 things, Mr. Logan, or lack of opportunities?

3 MR. LOGAN: He is accused of it, your Honor.

4 THE PRESIDENT: It is a waste of time, Mr.  
5 Logan. If he could say Marquis KIDO gave no in-  
6 structions that would be different.

7 MR. LOGAN: Well, if your Honor please,  
8 he is here testifying on these particular counts.

9 THE PRESIDENT: He is not attacking Marquis  
10 KIDO.

11 MR. LOGAN: Well, I will pass it.

12 Q Notwithstanding these orders that you heard  
13 about from these camp commanders, you tell us that  
14 when complaints were made to some of them, steps were  
15 taken to alleviate conditions, is that right?

16 A Yes.

17 Q Doctor, after this bomb fell which killed  
18 about a hundred prisoners of war, I believe you said  
19 it was an Allied plane that dropped the bomb; then  
20 you said that the same officer who spoke to you per-  
21 mitted the prisoners at that camp to dig slit trenches.  
22 What were the purposes of the slit trenches?

23 A To give protection from air raids.

24 Q There was part of your testimony, Doctor,  
25 that I didn't quite understand. You went into great

COATES

CROSS

1 length in a statement to the effect that some officer  
2 or someone in the Adjutant's office, one of the clerks,  
3 told you that these machine guns were set up around  
4 your camp to kill all the prisoners when the war  
5 ended. They didn't do that, did they, Doctor?  
6

7 A He said that these machine guns nests and  
8 machine guns were set up to kill us in case of a  
9 landing in Japan or an attempt being made to effect  
10 our release.

11 Q But the point is they did not do it, did they?

12 A I am thankful to say they did not.

13 Q It might just as well have been a rumor,  
14 isn't that so?

15 A Well, I shouldn't think so. It didn't look  
16 much like it, not much like a rumor when you see a  
17 number of machine gun nests surrounding a camp,  
18 pointing into your huts.

19 Q Well, we will pass that, Doctor. You say  
20 that thirty to forty per cent of the prisoners of war  
21 in Thailand were in hospitals. Do you know that of  
22 your own knowledge, or are you basing that on some  
23 report or something?

24 THE PRESIDENT: He could not know that of  
25 his own knowledge, Mr. Logan.

MR. LOGAN: Thank you. That is all.



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THE PRESIDENT: Mr. Blewett.

CROSS-EXAMINATION (Continued)

BY MR. BLEWETT:

Q Colonel, I presume you left Sumatra by reason of the fact that there was a shortage of good medical service, and just so we have a logical sequence here will you tell me just what were the conditions of your leaving Sumatra?

THE PRESIDENT: It won't help us to know what happened before he left Sumatra.

MR. BLEWETT: It isn't before, sir. I just asked the witness if he would tell us the circumstances of his leaving.

THE PRESIDENT: I am sure it won't help us, Mr. Blewett.

MR. BLEWETT: I will pass that sir.

Q Am I right, Colonel, in assuming that Mergui was a place of disembarkation?

A Yes.

Q How did it fit into the general POW plans?

A It was a staging place for prisoners of war being taken up to Burma by ship, and there was constructed an airdrome and other things by the prisoners of war during their stay there.

Q Well, then, your first point -- your first

COATES

CROSS

1 destination, as a matter of fact, in so far as your  
2 professional work was concerned was at Tavoy, is that  
3 right?

4 A No. At Mergui I functioned as the senior  
5 medical officer.

6 Q But the hospital -- it was at Mergui; I wasn't  
7 sure; there had been one other - Was that set before-  
8 hand or was it an emergency?

9 A The seriously sick were housed, as I said  
10 before, in some huts of the civil hospital.

11 THE PRESIDENT: I think the cross-examin-  
12 ation must almost necessarily be repetitive, Mr.  
13 Blewett.

14 MR. BLEWETT: Well, not quite, sir. I  
15 wanted to get the location on this map for kilos,  
16 but I shall pass over that and ask the witness a  
17 question along another line, sir.

18 Q Would you say, Colonel, that the hospitals  
19 in which you were located were pretty much along  
20 the southern line of the railroad?

21 A The word "hospital," sir, is hardly the term.  
22 I would call them depots for the very sick. There  
23 were no hospitals in the true sense of the term in  
24 which I was ever located.

25 Q What plans, if you know, did the Japanese

COATES

CROSS

1 have in contemplation on this huge undertaking as  
2 to the care and maintenance of victims of accidents  
3 and diseases?

4 A I have no knowledge of any of their plans,  
5 sir.

6 Q From your professional knowledge and ex-  
7 perience, was it conceivable that the Japanese could  
8 foresee that there would be such a great number of  
9 unfortunates?

10 THE PRESIDENT: It is for us to determine  
11 that, really, Mr. Blewett.

12 MR. BLEWETT: I would think, sir, that the  
13 witness' testimony as to an undertaking like this  
14 and the events that occurred, he might be able to  
15 give us the information which would be of some value  
16 as to the preparations beforehand, the lack of them.

17 THE PRESIDENT: We must determine whether  
18 it was excusable or inexcusable.

19 Q Do you know, Colonel, actually whether or  
20 not the one thousand prisoners of war reached 105  
21 Kilo Camp and whether or not they were forced to work?

22 A I know that by reliable reports, sir.

23 Q That they actually were put to work?

24 A Yes, sir.

25 Q What scientific safeguards, if any, did



COATES

CROSS

1 the Japanese have, in so far as work is concerned, in  
2 this jungle infested territory?

3 A The only ones I know are that in a few camps  
4 there was quinine to be given five grains a day ---  
5 that was my orders at the 75 Kilo --- to prevent  
6 malaria. And late in the year they did take some of  
7 our prisoners of war to join their sanitary corps  
8 which was oiling in one camp. At the end of the  
9 year they took blood smears from most of the prisoners  
10 of war that survived; and rectal smears as well. I  
11 omitted that before, rectal smears.

12 Q Was any adequate hospitalization set up along  
13 the line of which you are familiar, Colonel, at all?  
14 I mean, in anticipation of the likelihood of there  
15 being casualties.

16 A There was a series of huts at Thanbyvazayat  
17 which received the sick we brought up from Tavoy.  
18 Along the line there was no place -- no hospital. All  
19 that was ever used for accommodating the sick were the  
20 abandoned working huts.

21 Q Have you been on any large projects either  
22 in your own country or any other country?

23 A No, but having served in the First War,  
24 particularly in the early phase, I know something  
25 about medical conditions in such a place as, say,

COATES

CROSS

1 Gallipoli.

2 Q Well, then, did it not seem to you,  
3 Colonel, that these conditions which prevailed had  
4 not been anticipated?

5 THE PRESIDENT: How would he know it could  
6 have been? It might have been sheer neglect. It is  
7 for us to say whether it was excusable. I can say no  
8 more than that, Mr. Blewett.

9 Q When you referred to a rice and raddish  
10 soup on the trip to Mergui, Colonel, you didn't wish  
11 to infer that the Japanese had other food on board  
12 which they refused to serve you, do you?

13 A No.

14 THE PRESIDENT: That is irrelevant. It is  
15 immaterial whether they brought it on board or left  
16 it behind. If they didn't provide it, they should  
17 have done so.

18 Q Did the Japanese have medical or other  
19 supplies on hand which were actually refused to you and  
20 your assistants?

21 A Yes.

22 Q Did any high ranking officer at any time  
23 refuse you medicines and supplies which you knew to  
24 be obtainable?

25 A There was no high ranking medical officer



COATES

CROSS

1 of the Japanese Army in Burma. He was a First  
2 Lieutenant only, the senior medical officer. I had  
3 no contact with any other officers such as the  
4 Lieutenant Colonel in charge. I was too mean a  
5 person to come under his direct supervision.

6 Q Did you say whether or not the Japanese  
7 Army was below the standard of medicine and hos-  
8 pitalization of the British or American Army?

9 A It would be unwise for me to comment because  
10 I didn't see a great deal of the Japanese medical  
11 service. I saw only those associated with the  
12 prisoner of war camps and those few odds and ends I  
13 have mentioned.

14 Q The terrific odds under which you worked and  
15 the horrible scenes which you described, would it not  
16 been correct to assume that the supplies were far  
17 inadequate for the situation?

18 THE PRESIDENT: The duty of the Japanese  
19 was commensurate with the needs.

20 Q Did you not observe, Colonel, that the  
21 conditions of global warfare would interfere very  
22 seriously with the obtaining of medicine and  
23 supplies?

24 THE PRESIDENT: It is right beyond his  
25 province. How could he help us on that?

COATES

CROSS

1 Q On what do you base your opinion that the  
2 Mergui Camp was crowded by 75 per cent?

3 A Because when the men lay down to sleep on the  
4 floor at night there wasn't a square foot of space to  
5 be found in the camp, and that despite the fact that  
6 quite a number of men were employed on duty or were  
7 standing or sitting about.

8 Q As a physician and from your experience,  
9 did you not believe it would have been good policy  
10 and sound policy for the Japanese to keep these  
11 workmen in good sound condition?

12 THE PRESIDENT: That is argument, of course.

13 MR. JUSTICE MANSFIELD: I object to this line  
14 of questioning as irrelevant.

15 THE PRESIDENT: The question is disallowed.

16 Q Would you not agree, Colonel, that the fact  
17 that the Japanese utilized your professional ability  
18 throughout these many years was some indication that  
19 they were making a serious effort to alleviate the  
20 conditions which you describe?

21 THE PRESIDENT: It is for him to say what  
22 he saw and heard. In dealing with the nature and  
23 treatment of diseases he may speak as an expert.

24 MR. BLEWETT: You may answer.

25 THE PRESIDENT: He need not answer.

COATES

CROSS

1 MR. BLEWETT: I beg your pardon. I mis-  
2 understood.

3 THE PRESIDENT: I said you were trying to  
4 argue with him and it should have been obvious that  
5 the question was disallowed.

6 Q Nakampaton, Colonel, where was that located  
7 as to the kilo situation?

8 A Nakampaton is somewhere about thirty-five  
9 miles from Bangkok. I am subject to correction on  
10 the correct mileage.

11 Q Well, you were between 30 and 75, I believe.  
12 I assume, therefore, that it was in the neighborhood  
13 somewhere.

14 A I think there is some confusion, sir. Nakampaton  
15 is in Siam and the 30 Kilo is in Burma.

16 Q Therefore, were patients brought from the rail-  
17 way work camps in both directions to Nakampaton?

18 A If I might be allowed to correct that, sir,  
19 Nakampaton was established as an asylum for the sick  
20 way at the eastern end of the line at the early part  
21 of 1944, after the railway had been completed and the  
22 residue of serious sick were withdrawn from that area.

23 Q From what large an area, therefore, did you  
24 receive patients?

25 THE MONITOR: Mr. Blewett, will you kindly



COATES

CROSS

1 rephrase that question, please?

2 Q From what distance from the eastern end of  
3 the railway to the western end did you receive patients?

4 A The railway ended before Nakampaton, that is,  
5 on its west side, as far as we were concerned. And  
6 so the patients that came were the serious chronic  
7 sick who would take more than six months to recover  
8 who had been at work on the whole of the railway line  
9 after it was completed. Nakampaton wasn't a camp  
10 which was in use in 1943. At the time of the build-  
11 ing of the railway it was an asylum to receive the  
12 casualties after the railway had been built.

13 Q Did the number, therefore, remain quite static  
14 from the time of its inception and during your stay  
15 there?

16 A No. The total number that passed through  
17 the hospital camp was 10,000, and the static popula-  
18 tion of sick there was roughly 5,000. In other words --

19 THE PRESIDENT: We will adjourn until half  
20 past one.

21 (Whereupon, at 1200, a recess was  
22 taken.)  
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## AFTERNOON SESSION

1 The Tribunal met, pursuant to recess, at  
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3 1330.  
4

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5  
6 A L B E R T E R N E S T C O A T E S, called as  
7 a witness on behalf of the prosecution, resumed  
8 the stand and testified as follows:

9 MR. BLEWETT: If the Court please, I was  
10 inquiring on a theory which I thought the witness  
11 would be able to testify to. On further study I have  
12 decided to delay that until the proper time for pre-  
13 sentation.

14 THE PRESIDENT: Mr. Cunningham.

## CROSS-EXAMINATION (Continued)

15  
16 BY MR. CUNNINGHAM:

17 Q Mr. Witness, have you testified concerning  
18 the facts that you have outlined here before any  
19 other Tribunal?

20 THE PRESIDENT: He gave evidence before me  
21 but I was not a tribunal; I was a commissioner. The  
22 war was on and I could not hear the Japanese; in any  
23 event, they would not have come to me. I believe when  
24 I examined him the war had concluded. Mr. Justice  
25 Mansfield was a joint commissioner with me. He may



COATES

CROSS

1 have been examined by somebody else but I do not  
2 think so but you can ask him.

3 MR. CUNNINGHAM: I might say that that was  
4 news to me, your Honor. That was not what I was  
5 driving at at all.

6 THE PRESIDENT: Were you examined by any  
7 other Tribunal?

8 THE WITNESS: No, sir.

9 Q Have you testified in atrocity cases against  
10 any Japanese since the end of the war?

11 A No, only in a general way. At the end of the  
12 war I gave a picture to the Supreme Allied Command  
13 on the affairs in Burma and Siam, a general account.

14 Q What was the purpose of that statement or  
15 affidavit, or whatever the nature of it was?

16 A Historical.

17 Q Do you know whether or not that was used in  
18 the nature of a report or evidence in any trial against  
19 Japanese in atrocity cases since the war?

20 A I have no knowledge of such.

21 Q Did you file any official complaint against  
22 the commander of any of the camps about which you have  
23 testified for the purpose of bringing the matter before  
24 any court or tribunal?

25 A Under interrogation in Melbourne I gave the

COATES

CROSS

1 names of a certain number of Japanese officers whom  
2 I thought were responsible for certain bad conditions.

3 Q Do you have a record of those names?

4 A No, but I can remember them.

5 Q Will you give them?

6 A I mentioned Lieutenant Colonel NAGATOMO's  
7 name and Dr. HIGUCHI.

8 Q Do you know whether or not either of these  
9 men have ever been tried in atrocity cases?

10 A I have no certain knowledge.

11 Q Do you have any uncertain knowledge?

12 MR. JUSTICE MANSFIELD: I object to the  
13 question as irrelevant.

14 Q What was the purpose of this interrogation  
15 in Melbourne?

16 A I think to obtain from me a general picture  
17 of conditions in prisoner of war camps from which we  
18 had just been released.

19 Q Was that confined strictly to an inquiry  
20 concerning Australian prisoners of war?

21 A As far as I remember, yes.

22 Q Did you have any information or report back  
23 on the results, or any inquiries later conducted, as  
24 a result of the testimony or information which you  
25 gave?

COATES

CROSS

1 A No.

2 Q Did you give all of the names of all of the  
3 persons whom you considered responsible for all of the  
4 mistreatment conducted in your presence or under your  
5 supervision during your prisoner of war confinement?

6 A I mentioned certain names, particularly of  
7 certain guards and junior Japanese underlings who had  
8 not conducted themselves with propriety; but I didn't  
9 consider it was my duty to lay specific charges  
10 against individuals. That was more a matter for a  
11 number of other officers who had had intimate rela-  
12 tionships in that regard. I considered it my duty  
13 to paint a general picture and give the Commission  
14 in Australia an idea of the actual conditions, not  
15 with any particular purpose of retribution but just  
16 in an historical and straightforward fashion giving  
17 the facts.

18 Q Did you give a full and complete report  
19 which parallels the information which you have given  
20 here in this courtroom of--

21 A No.

22 Q To what extent did you not give a full and  
23 complete report at that time?

24 THE PRESIDENT: "We do not want to know that  
25 unless you suggest he is suppressing something we



COATES

CROSS

should hear.

1 Have you omitted anything in favor of the  
2 Japanese?

3 THE WITNESS: Well, perhaps I have had the  
4 opportunity only of mentioning here before the Court  
5 one or two instances of a little kindness. There  
6 were, I think, statements by me included in various  
7 documents which indicate that immediately after  
8 capture we were not treated uncivilly.  
9

10 THE PRESIDENT: Tell us all you can recollect  
11 in their favor, if you have not already done so.

12 THE WITNESS: These are a few instances:  
13 I remember at the time of capture, the Japanese  
14 medical officer saw me in Pedang, in Sumatra, and  
15 permitted me to carry on with the treatment of  
16 wounded. Secondly, after a number of Japanese raided  
17 a hospital in which I had a large number of wounded  
18 women, the same Japanese doctor protested on my be-  
19 half to Japanese headquarters and had the place put  
20 out of bounds to Japanese. Thirdly, when the  
21 Japanese local commander insisted that all the  
22 seriously wounded people we had in the hospital  
23 should be moved out into the prison camp, my protests  
24 again to the Japanese doctor bore fruit and we were  
25 allowed to retain them there for another two weeks.

COATES

CROSS

1 Shall I continue, sir?

2 THE PRESIDENT: Yes, continue.

3 THE WITNESS: At Tavoy, a Japanese doctor  
4 there, while admitting that he couldn't do anything  
5 for us in getting us drugs, was not unsympathetic.  
6 At the time we removed our sick he personally came  
7 down and saw us off on a little boat and said goodbye.

8 THE PRESIDENT: We want to know whether these  
9 alleged atrocities were the result of a policy or  
10 were just due to the misconduct of individuals.

11 THE WITNESS: In the 55 Kilo Camp, Burma,  
12 when supplies were severely short and I had made  
13 representations to Dr. AONUMA, who had been sent  
14 there by Colonel NAGATOMO, AONUMA replied that he  
15 was not permitted to allow us to buy any food in the  
16 neighborhood or establish any canteen to increase  
17 our diet, but when he personally caught some of our  
18 men who carried on nocturnal negotiations to obtain  
19 food, he did not punish them in the manner which one  
20 might have expected. I had with him as a doctor a  
21 certain fraternal association. He had for me some  
22 respect and I for him. It was he who said to me as  
23 I pointed to the bare floors in the my kumi, "I am  
24 sorry; that is all I have to offer."

25 BY MR. CUNNINGHAM: (Continued)



COATES

CROSS

1 Q I believe that covers that proposition.

2 Now, in your prisoner of war camp, did you have  
3 your own organization for the conduct of the affairs  
4 of the camp?

5 A In Burma at the 55 Kilo Camp there were few  
6 medical orderlies because most of the medical order-  
7 lies were employed as laborers on the railway line.  
8 Consequently, the organization was only a skeleton  
9 organization. At Nakompaton after the railway line  
10 was finished, as I stated in my evidence, the Japanese  
11 allowed me one doctor and ten medical orderlies per  
12 thousand plus, of course, the three NCOs; but the  
13 actual workers were one doctor and ten medical  
14 orderlies per thousand. They allowed me to organize  
15 the doctors in the camp for their specific function  
16 and to hold clinical meetings where the doctors met  
17 together to discuss their problems. That I much  
18 appreciated. In the early stages the Japanese  
19 doctor himself favored us with his presence. Later  
20 he informed me that he was not permitted to attend our  
21 meetings and from then on the relations between the  
22 Japanese medical staff and ourselves became purely  
23 formal.  
24  
25

COATES

CROSS

1 Q Was that not what was expected rather than  
2 what had preceded it?

3 A I state that because I think, from my  
4 fairly long association with some of these Japanese,  
5 that there were men who would liked to have made  
6 closer contact with us, but that the iron machine  
7 of the POW organization did not permit it.

8 Q Was there any organized interference on the  
9 part of the Japanese to prevent you from alleviating  
10 the situation as much as you could in your own camp?

11 A Yes. For example, the building of beds. We  
12 could have constructed beds for some of our seriously  
13 sick with the material in the camp, but that was not  
14 allowed. That to me was a thing I couldn't understand.  
15 Beyond that, the restrictions and the petty pin-pricks  
16 and sometimes very serious ones in a hospital were  
17 such that it militated against the effective treat-  
18 ment of the sick. In a report to the Japanese, of  
19 which I have a copy in my diaries here, I pointed  
20 out that at the end of 1944 that though that hospital  
21 was the best in Nakompaton, I mean, that we had seen  
22 it was very far from what we had expected of a  
23 country of the status of Japan. I stated that the  
24 hospital had too much the appearance of a Japanese  
25 prison camp, which we knew only too well; that



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1 beatings were far too frequent, and the various  
2 restrictions that were placed on our activities  
3 prevented us from doing the work which I felt the  
4 Japanese medical authorities desired we should do.  
5 If I might quote another thing: A Japanese Colonel,  
6 full Colonel, visited our camp on an inspection  
7 somewhere about October, 1944. I requested that I  
8 should put before him some of our needs, particularly  
9 for the feeding of the very sick, which the Japanese  
10 had never undertaken. The request was refused, but  
11 I was asked to join a procession the following day.  
12 By a stratagem I managed to make contact with the  
13 great man, the Colonel, and speak to him. Asking  
14 who I was, he said, "Are you recovering the patients?"  
15 I replied, "Not as well as we would like, for want of  
16 more fat, protein, that is, meat, vitamins, and more  
17 drugs." The records of Nakompton which I have show  
18 that the diet improved, and by Christmas time we had  
19 a much happier time in that camp than we had ever had  
20 before. I think that is about all, sir.

21 Q Now, this treatment you have described last  
22 was at the hands of a full Colonel of the Japanese  
23 Medical Corps or Japanese Army?

24 A I was informed that he was a medical officer.

25 Q Then would you take it from that that it was

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1 more or less the policy of the Medical Corps of the  
2 Japanese Army to do its best towards the care of  
3 the American and other prisoners of war?

4 A I can only infer that at that particular  
5 stage of the war it was the policy of the Medical  
6 Corps of the Japanese Army to help us, but I believe --  
7 it is my personal opinion -- that many Japanese  
8 medical officers would liked to have done something to  
9 have helped us.

10 Q It isn't your claim, Colonel, is it, that  
11 the Japanese medical officers would be violating  
12 their instructions by following such a course?

13 A I have no knowledge of the relationship  
14 between the Japanese Medical Corps and the G. and A.  
15 Staff of their army. I have no knowledge whatever.

16 THE MONITOR: Colonel, what is a G. and A.  
17 Staff?

18 THE WITNESS: General, and Adjutant  
19 General's Staff.

20 Q Was that the highest ranking Japanese  
21 officer with whom you had contact all of the time  
22 your were a prisoner of war under the Japanese?

23 A It is the highest ranking officer with  
24 whom I spoke, but I happened to walk around within  
25 about twenty yards of a Japanese General, S/SA, at



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the 30 kilo camp, as mentioned in my evidence.

1 Q Was the same Colonel whom you have mentioned  
2 in company with this General, or was that on another  
3 occasion?

4 A The incident with General SASA was in early  
5 '43 and the affair with the Japanese Medical Colonel  
6 was in late '44.

7 Q From '43 to '45, to the end of the war,  
8 did conditions better as time went on?

9 A From late 1944 onwards to the end of the  
10 war conditions with regard to food improved very  
11 definitely. The reasons for that were many fold;  
12 one was that we had a canteen, which the Japanese  
13 permitted in Nakompaton, and we were able with the  
14 money earned as prisoners of war to purchase quite  
15 a lot of food. Nevertheless, our diet even at the  
16 end of the war, as shown by graphs in my possession,  
17 was far below a normal diet in proteins, fats and  
18 vitamins, but those of us who had been accustomed for  
19 so long to live on light Oriental rations had, as  
20 it were, a low bodily requirement, so we didn't  
21 look or feel as ill as we might have been.  
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1 Q Now, Colonel, in order to crystalize this,  
2 are there any instances, shining examples, you might  
3 say, that you would like to mention to this Tribunal  
4 of the improvement in the treatment of you by the  
5 Japanese from the time, say, 1944, until the end of  
6 the war?

7 A Yes, I regard the hospital at Nakompaton --  
8 with its many faults it was far below what one would  
9 expect; nevertheless, it was such an improvement, and  
10 the facilities which we were allowed ourselves to make  
11 indicated that the desire of the Japanese medical  
12 staff was to see as many men recover as possible. I  
13 should like to mention two officers in that camp, who  
14 were not medical officers, who gave us all the help  
15 within their power. One was an interpreter by the  
16 name of Doctor MATSUSHITA and the other was Lieutenant  
17 WAKAMATSU.  
18

19 Q One last question, Colonel. After you got  
20 organized into your role as prisoner of war, did you  
21 begin getting mail and packages through the Red Cross  
22 and news from home and other incidental things which are  
23 slow in coming about?

24 A First news from home I received was three and  
25 a quarter years after my capture. The first Red Cross  
material that came to our camp was an ounce of butter

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1 per man on one occasion in October 1943. The next lot  
2 of Red Cross stuff was, as I have mentioned--only on  
3 one occasion did we receive Red Cross parcels and then  
4 that was one parcel for thirteen men, and that was in  
5 the middle of 1944 at Nakompaton. I repeatedly  
6 applied for books, papers and something to help  
7 intelligent men to keep from rusting. Even for the  
8 medical men I considered it desirable that we should have  
9 some journals, but they never came.

10 MR. HANAI: I am counsel HANAI.

11 THE PRESIDENT: Counsel HANAI.

12 CROSS-EXAMINATION (Continued):

13 BY MR. HANAI:

14 Q The witness stated that as a result of the  
15 application of rules concerning diet given to the  
16 patients among the prisoners of war at your camps --  
17 at the camps at Nakompaton and Kamburi, the ration of  
18 meat was decreased to one-third of the normal and that  
19 of rice to one-half of normal. Does it mean that before  
20 this measure, these rules applied in those prisoner of  
21 war hospitals, their regular rations in meat and in rice  
22 were three times and two times more respectively; is  
23 that true?

24 A Yes. At Nakompaton we were informed on the  
25 4th of April 1944 that the camp would no longer be



COATES

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1 regarded as a camp of workmen, but as a camp of sick  
2 men and that the appropriate ration scale would be  
3 adopted, namely, one-third of the amount of meat --  
4 and the rice was not quite right, sir -- I think it is  
5 two-thirds rice and two-thirds vegetables on a sliding  
6 scale. But the big thing was the amount of meat was  
7 reduced to one-third.

8 Q Was meat abundantly given -- issued -- to  
9 the Japanese troops?

10 A At Nakompton I have no knowledge what the  
11 Japanese troops received as they lived in a separate  
12 compound from ourselves. That there was abundant  
13 meat in the neighborhood was obvious because we could  
14 buy with money which we could secure, and at the end  
15 of the war I was able to buy large quantities of meat  
16 the day following the declaration of armistice.

17 Q You testified that you bought foodstuffs  
18 secretly to replenish your nutrition. How could you  
19 buy those foodstuffs secretly?

20 A That was for a short period at the 55 Kilo  
21 camp in 1943 in Burma. As some of our patients recovered  
22 they were able to carry out little trips outside the  
23 camp at night, make contacts with the Burmese natives  
24 and purchase food with which -- with money supplied  
25 by our officers in the camp. It is my considered



COATES

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1 opinion that but for that food so purchased a great  
2 number more men would have died in that camp, and I  
3 think that the Japanese doctor who was aware of these  
4 negotiations after some men had been caught, did not  
5 act as he might have done, but he winked his eye.  
6 In other words, he disobeyed orders for the sake of  
7 humanity.

8 Q You have stated that at hospitals in Nakompaton  
9 and Kamburi recovered patients became the source of  
10 blood supply and supply of nutrition to those who were  
11 more seriously ill.

12 A Yes.

13 Q However, is it not a fact that those who have  
14 sufficiently recovered to be able to give transfusion  
15 of blood to other people were allowed to stay in the  
16 hospitals -- still allowed to stay in the hospitals?

17 A Yes, they were employed as workers in the  
18 hospitals, and, of course, we had the unfortunate  
19 trouble of having to use the same worker many times  
20 to give his blood. Fifteen hundred transfusions were  
21 given in that camp in a few months.

22 Q Are you aware of the fact, rather were you  
23 aware of the fact that the punishment of Japanese  
24 soldiers such as guards and others were not carried  
25 out in the presence of prisoners of war?

COATES

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1           A    Yes.

2           Q    In that case does it not follow that you do  
3 not know whether the Japanese troops -- soldiers --  
4 were punished for having mistreated PW's?

5           A    As I said yesterday, I saw one Japanese  
6 sergeant beat up and punish a guard for maltreatment  
7 of a prisoner of war. On the other hand, I have seen  
8 many times guards beaten up by Japanese officers, so  
9 that some punishment at any rate was carried out in  
10 view of the prisoners of war.

11          Q    But are you not aware of the fact that the  
12 Japanese side -- the Japanese Army -- tried as much as  
13 possible to avoid carrying out punishment in the  
14 presence of prisoners of war?

15          A    I know nothing of the rules and internal  
16 arrangements of the Japanese Army.  
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Q I will ask you some other question.

In instances such as malaria, amoebic dysentery and tropical ulcers, are they not indigenous to the places you are?

A Do you mean the places we were in, in Burma, or where we are now?

Q In Burma.

A Malaria is fairly common in Burma. So is dysentery and so is tropical ulcer.

Q Then, does it not follow that those who are not natives or those who are not accustomed to that particular locality have very little, weak resistance to those diseases?

A The people /of the West/ got over that by inoculation, by proper preventive measures, and by the appropriate employment of drugs and diet for the treatment of sufferers.

Q However, it is only when these facilities were available, is it not?

A Oh, yes. Without such facilities such as appropriate drugs it is a hazardous affair to live in such a jungle.

Q You have testified that charcoal from the kitchen was used in the place of drugs. For what purpose -- what illness, particularly, was this used?



COATES

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1 A Dysentery.

2 Q Is not charcoal prescribed, including the  
3 prescription as an absorbent, for dysentery?

4 A Charcoal has no value in killing the germs of  
5 dysentery. All it does is it absorbs water and smell.  
6 It is a symptomatic drug and not a specific curative  
7 drug.

8 Q But is it not effective for absorbing toxin  
9 rapidly from the intestines and removing it from the  
10 bowels?

11 A Yes, it is an absorbent. That is why it is  
12 given. And a man is wise, in the tropics, to have a  
13 little charcoal in case he has the diarrhea from time  
14 to time. But it does not kill the germs of dysentery.

15 Q Was this charcoal, the charcoal in question,  
16 was it specially made for the purpose of using it as a  
17 drug, or was it just taken from the kitchen, taken  
18 out of the charcoal to be used at the kitchen?

19 A The charcoal that we used at the time in  
20 question consisted of the crushed ashes.

21 Q Then, you don't know whether it was specially  
22 made for that purpose or it was taken out of charcoal  
23 to be used as fuel?

24 THE MONITOR: Slight correction on that:

25 Then you do not know whether this was crushed



COATES

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1 from the charcoal specially made for the purpose of  
2 drug or from the fuel that was used in the kitchen?

3 A Yes, I do. My orderlies used to go to the  
4 kitchen and rake out the ashes from under the quarles  
5 of rice and grind up the ashes, and that was the char-  
6 coal.

7 Q Are you aware of the practice, old practice  
8 in the East, that is, that of using burnt and carbonized  
9 plants and animals, using those burnt and carbonized  
10 plants or animals as drugs?

11 MR. JUSTICE MANSFIELD: I object, if the  
12 Tribunal please, as I submit it is entirely irrelevant  
13 to the issues before the Court.

14 THE PRESIDENT: You may ask him if animal and  
15 vegetable charcoal was used.

16 THE WITNESS: Vegetable charcoal was used,  
17 namely, the wood was burned to cook the food and the  
18 ashes which remained formed the charcoal -- burnt wood.

19 Q As a doctor, do you know anything about the  
20 effect, or, rather, effectiveness of so-called carbonized  
21 plants or animals?

22 A Yes, I know that carbonized plants -- in other  
23 words, charcoal -- is a very good absorbent; and we use  
24 it, in my country, for a variety of diseases, for that  
25 purpose only, absorbing.

COATES

CROSS

1 THE PRESIDENT: Was any charcoal other than  
2 that obtained in the kitchen available to you?

3 THE WITNESS: No.

4 MR. HANAI: I conclude my cross-examination.

5 CROSS-EXAMINATION (Continued)

6 BY MR. BROOKS:

7 Q Mr. Witness, was the amount of charcoal that  
8 you obtained sufficient from these places without  
9 preparing **any more** for the purposes that you needed?

10 A We had enough charcoal from our kitchen for  
11 us to give all the prisoners of war in Burma an adequate  
12 dose.

13 THE PRESIDENT: We have heard enough about  
14 charcoal, Captain Brooks.

15 Q Doctor, on the discussion of the Red Cross  
16 supplies that you did get, did you ever ascertain at  
17 that time or later whether the transportation problem  
18 was the main point that kept you from getting more of  
19 these supplies, or any other fact that you may have had  
20 in your knowledge?

21 A In 1944, at the time of reception of the Red  
22 Cross supplies, I had no knowledge of any **difficulties of**  
23 **the Japanese.** In 1945 I was informed by the Japanese  
24 doctor that supplies had been sent but that they were  
25 being held by the Japanese in Bangkok for some months as



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1 a reprisal for the sinking of a Japanese ship by the  
2 Americans. But he informed me that out of the goodness  
3 of heart of the Japanese they would allow us to have  
4 some. So he supplied me with thirty-five boxes con-  
5 taining ampoules of salt water. Fortunately, at that  
6 stage we could make all those things ourselves.

7 Q Did you ever find if any of these ships had  
8 been sunk?

9 A The incident I have related is all I have  
10 knowledge of.

11 Q Now, were there any -- I will strike that.  
12 You were discussing certain officials who were  
13 responsible that you testified about at a previous  
14 hearing. Now, were there any other officials of equal  
15 rank and position whom you did not mention because  
16 you did not believe they were responsible for any of  
17 the acts?

18 A To my knowledge, I think there is only one  
19 person that I made any special reference to, and that  
20 was a peculiarly objectionable interpreter. He was a  
21 Korean.

22 Q Now, Doctor, in these camps were you a part  
23 of the prisoner-of-war administration staff?

24 A It varied. In the primitive camps in the  
25 Burma jungle I lived with the men and I was known as

COATES

CROSS

1 "the old man."

2 Q What I had particularly in mind is whether  
3 you would have been in a position, as an administrator  
4 in the camp, as a prisoner-of-war administrator in the  
5 camp, to have had knowledge of the rules and regula-  
6 tions furnished by the Japanese to such administrators  
7 for administration.

8 A Yes. Those rules were known as "house rules"  
9 for prisoner-of-war camps, and I had a copy of these  
10 at all the camps.

11 THE PRESIDENT: We will recess for fifteen  
12 minutes.

13 (Whereupon, at 1445, a recess was  
14 taken until 1500, after which the proceedings  
15 were resumed as follows:)  
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1 MARSHAL OF THE COURT: The International  
2 Military Tribunal for the Far East is now resumed.

3 THE PRESIDENT: Captain Brooks.

4 BY MR. BROOKS (Continued):

5 Q Doctor, we were discussing the house rules.  
6 Now, were they the same in each camp?

7 A In 1943, in Burma, they were the same because  
8 they were rules issued by Lieutenant-Colonel NAGATOMO.

9 Q And did this Lieutenant-Colonel have charge  
10 of all the prisoners of war in that area?

11 A He did.

12 THE PRESIDENT: Do you know what those rules  
13 provided, Colonel?

14 THE WITNESS: Only the detailed affairs in  
15 regard to the camp: saluting of guards, the way you  
16 did your washing, and that sort of thing; minor domes-  
17 tic matters, nothing to do with the big control of the  
18 prisoners of war.

19 THE PRESIDENT: Did they set out what the  
20 food, clothing, housing, and medical supplies should  
21 be?

22 THE WITNESS: No, sir.

23 THE PRESIDENT: They are hardly worth dis-  
24 cussing at any length, Captain Brooks.  
25

COATES

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1 BY MR. BROOKS (Continued):

2 Q Do you have a copy of such rules?

3 A I haven't one in my possession here, but  
4 there is one in the bag of documents somewhere.

5 Q Can that be made available if the defense  
6 requests you to produce it?

7 A I don't know. I can't answer that in the  
8 affirmative. I don't know. I would have to look  
9 through it and see.

10 Q Now, Doctor, were you familiar with the  
11 Japanese Army regulations dealing with these subjects?  
12 Did you see the Japanese Army regulations, for in-  
13 stance, prohibiting the beating of prisoners?

14 A No.

15 Q Did you ever see any of the other types of  
16 regulations than these that you have spoken about that  
17 were army regulations for the Japanese Army for car-  
18 ing for the affairs of prisoners?

19 A Yes. I had to make such rules known, such  
20 as, for example, if a man tried to escape, he would be  
21 shot; general rules of that kind.

22 Q Would you say that these house rules, or some  
23 of the practices conducted in some of the camps where  
24 you were, were in violation of the Japanese Army  
25 regulations covering said subject?

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1 MR. JUSTICE MANSFIELD: I object, if the  
2 Tribunal please, on the ground that the witness's  
3 opinion would be irrelevant.

4 THE PRESIDENT: The objection is clearly  
5 upheld.

6 MR. BROOKS: I was not asking for his opinion,  
7 your Honor. He said he was familiar with some of the  
8 Japanese Army regulations, and he does know about  
9 house rules, and I was asking him for a comparison  
10 between the two, and the practices that he has spoken  
11 about.

12 THE PRESIDENT: The construction of docu-  
13 ments is for us when the documents are available,  
14 and they are not.

15 MR. BROOKS: The defense will try to make  
16 such documents available to the Court.

17 BY MR. BROOKS (Continued):

18 Q Now, Doctor, you discussed the orders -- in  
19 talking about getting this food with this doctor you  
20 said, "whose certain orders were disobeyed." Now,  
21 whose orders were you discussing at that time?

22 A Presumably, the orders of Lieutenant-Colonel  
23 NAGATOMO.  
24

25 Q Do you know that there were orders by this  
officer which were being disobeyed by the doctor?



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1           A    Soon after his arrival at the camp he  
2 kindly invited me to have a cup of tea with him, and  
3 we discussed the question of our food problems. I  
4 asked him particularly to see if he could make  
5 available, if not more rations, facilities for us  
6 to purchase from the local natives.

7           Q    Did he give any reason for refusing such  
8 request?

9           A    He said he would submit the request to  
10 Headquarters, and a few days later he informed me  
11 that that request was refused.

12          Q    Do you know to what Headquarters the request  
13 was forwarded?

14          A    POW Headquarters at Thanbyuzayat.

15          Q    And was there any report given?

16          A    The report he gave me was that we were not  
17 permitted to make any contact whatever with the Burmese.

18          Q    Now, you had some friends, apparently, in  
19 the Medical, in the Japanese Medical -- some parties  
20 that were friendly toward you in the Japanese Medical  
21 Corps. Did they ever state any reason for the lack  
22 of medical supplies to you in any of your conversations  
23 on food?

24          A    No, it was a very delicate matter about  
25 which they preferred not to talk.

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2 kindly invited me to have a cup of tea with him, and  
3 we discussed the question of our food problems. I  
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17 permitted to make any contact whatever with the Burmese.

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19 the Medical, in the Japanese Medical -- some parties  
20 that were friendly toward you in the Japanese Medical  
21 Corps. Did they ever state any reason for the lack  
22 of medical supplies to you in any of your conversations  
23 on food?

24          A    No, it was a very delicate matter about  
25 which they preferred not to talk.



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1 THE PRESIDENT: Did they say so?

2 THE WITNESS: Yes, sir.

3 Q Did they say why it was delicate?

4 A I would have to describe in some detail  
5 the conversations that I had with Japanese to give  
6 the correct impression here, sir.

7 THE PRESIDENT: To what did they attribute  
8 the lack of medical supplies, if they did so?

9 THE WITNESS: No supplies available to them  
10 to give us.

11 THE PRESIDENT: Did they say why they did not  
12 have them?

13 THE WITNESS: No, sir.

14 THE PRESIDENT: I do not want to hear any more  
15 about it, Captain Brooks. This obviously very fair  
16 witness has been very fully cross-examined. Do you  
17 really think you should continue much more with him?

18 MR. BROOKS: I only have one more.  
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BY MR. BROOKS (Continued):

Q Now, Mr. Witness, it has been disclosed that there had been cases where former prisoner of war camp commanders were praised instead of accused by former prisoners of their command and, in some instances, where there were no acts of brutality, and in some others where the very few acts of brutality were severely punished. Do you know of any such instances in any of the camps?

A Speaking of camp commanders, I presume one uses the term whether it applies to a corporal or a sergeant or a lieutenant colonel, because the best camp commander with whom I was ever associated was a sergeant; and that man -- his name was KUMATA -- was an English-speaking Japanese, a very kindly fellow, for whom I entertained a high regard.

Q Now, Mr. Witness, these camp commanders that had been praised have stated that they felt that they were following out Japanese Army regulations prohibiting the mistreatment of prisoners and they were doing their duty, no more, no less. Do you know whether this sergeant or the ones that you have spoken about had a similar attitude?

A It would be possible to compare such a smiling, kindly fellow who interpreted his regula-

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1 tions in the correct spirit, bearing in mind the  
2 nature of his prisoners of war. Contrast him with  
3 another type who was an arrogant, strutting, sword-  
4 carrying fellow who, apparently, imagined that he,  
5 too, was interpreting the same regulations.

6 Q Then, would you say that the care or punish-  
7 ment of the prisoners really depended on the dispo-  
8 sition and attitude and interpretation of the guard or  
9 officer in charge and the aggravation of the act in  
10 each particular case?

11 A Yes, by such men as KUMATA, many Japanese  
12 laws were observed more in the breach than in the  
13 observance.

14 MR. BROOKS: Thank you, Mr. Witness.

15 MR. LEVIN: Mr. President.

16 CROSS-EXAMINATION (Continued)

17 BY MR. LEVIN:

18 Q Do you know whether or not the regulations  
19 for the care of prisoners of war were in writing?

20 A The only rules that I saw were those issued  
21 as house rules and rules which were issued by the camp  
22 commanders, NAGATOMO in Burma or in Nakompton by the  
23 local command. These rules applied to the conduct of  
24 prisoners of war, such as what they were to do, not  
25 what the Japanese were to do; we knew nothing of



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1 those.

2 Q With the exception of Lieutenant-Colonel  
3 NAGATOMO with whom you conferred and the General  
4 whom you saw, you did not have any meeting with any  
5 of the higher Japanese officials, did you?

6 A I communicated with two higher officers,  
7 one, NAGATOMO in Burma, in 1943, and two, a Colonel,  
8 Medical, name unknown, Japanese, in late 1944.

9 Q And the officers in charge of the camps  
10 where you were were of the grade of Lieutenant, is  
11 that correct?

12 A No, it varied. At Tavoy, a Sergeant; at  
13 Retpu -- that is No. 30 kilo camp -- a Sergeant;  
14 at the 55 kilo, a Sergeant until I protested to  
15 NAGATOMO. Then a Japanese Lieutenant Medical officer;  
16 then, at the Nakompaton camp -- that was a large camp --  
17 we had a Lieutenant Colonel in charge.

18 MR. LEVIN: This, Mr. President, concludes  
19 the cross-examination of this witness.

20 MR. JUSTICE MANSFIELD: No re-examination,  
21 if the Tribunal please.

22 THE PRESIDENT: You are at liberty now to go  
23 back to Australia on the usual terms, Colonel.

24 (Whereupon, the witness was  
25 excused.)



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1 MR. JUSTICE MANSFIELD: If the Tribunal  
2 please, I ask the indulgence of the Tribunal to allow  
3 me to call at this stage Brigadier Blackburn, V. C.  
4 He is at present here, and he is engaged, or will be  
5 engaged, in an important public governmental inquiry  
6 beginning the first week in January in Adelaide.

7 THE PRESIDENT: What is his profession?

8 MR. JUSTICE MANSFIELD: He is a barrister,  
9 a lawyer. His evidence refers to two camps, namely --  
10 two areas, namely, Java and Formosa where he was con-  
11 fined with the senior officers of the Allied Armies.  
12 I point out that he was, of course, a prisoner of  
13 war for a long period. He has been away from his  
14 home.

15 THE PRESIDENT: He may be interposed.

16 MR. JUSTICE MANSFIELD: Thank you.

17 Call Brigadier Blackburn.  
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1 MARSHAL OF THE COURT: I am not informed as  
2 to his whereabouts, Mr. Justice Mansfield.

3 THE PRESIDENT: While we are waiting for  
4 him--Mr. Justice Mansfield, we understand that it is  
5 now your intention, if it has not always been, in  
6 those affidavit matters simply to tender the affidavit  
7 for identification; then to tender an excerpt merely;  
8 but to read only a synopsis of the excerpt.

9 MR. JUSTICE MANSFIELD: That was the proposal.

10 THE PRESIDENT: Then you intend to serve on  
11 the defense in English a copy of the affidavit in full,  
12 a copy of the excerpt, and a copy of the synopsis; and,  
13 in Japanese, a copy of the excerpt and a copy of the  
14 synopsis. The defense, in those circumstances, would  
15 be at liberty to draw to the Court's attention anything  
16 in the affidavit which does not appear in the excerpt  
17 or in the synopsis. They would do that by tendering  
18 the part omitted upon which they would rely, and will  
19 do it in the course of giving evidence for the defense.  
20 In that way, every particle of the affidavit could  
21 be drawn to the Court's attention. If I understand  
22 the attitude of my colleagues, a majority favors the  
23 course that you propose and approve of it, and that  
24 is the Court's decision.

25 (Whereupon, Mr. Brooks came to the lectern.)

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1 THE PRESIDENT: We have heard all the argument  
2 we intend to hear.

3 Swear in the witness.

4 - - -

5 A R T H U R S E A F O R T H B L A C K B U R N, called  
6 as a witness on behalf of the prosecution, being  
7 first duly sworn, testified as follows:

8 THE PRESIDENT: Mr. Levin.

9 MR. LEVIN: Mr. President, in the absence of  
10 Mr. Cunningham, on his behalf I want to renew the  
11 objection he made to the testimony of the previous  
12 witness; in other words, the points that he raised.

13 DIRECT EXAMINATION

14 BY MR. JUSTICE MANSFIELD:

15 Q What is your full name?

16 A Arthur Seaforth Blackburn.

17 Q And your rank?

18 A Brigadier.

19 Q And in March 1942 what was your rank?

20 A Brigadier of the Australian Imperial Forces.

21 Q And where do you reside?

22 A Grafers in South Australia.

23 Q In March 1942 where were you?

24 A I was in Java.

25 Q And were you the senior Australian officer in



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1 that area?

2 A Yes, I was the general officer commanding all  
3 Australian troops in Java.

4 Q And were you captured by the Japanese forces  
5 in Java on the 12th of March, 1942?

6 A Yes.

7 Q And did you remain a prisoner until the  
8 Japanese capitulation in August, 1945?

9 A Yes.

10 Q During that period were you ever informed  
11 by Japanese officers of the policy of the Japanese  
12 Government towards prisoners of war?

13 A I was frequently informed by Japanese officers  
14 that the policy of the Japanese Government was to treat  
15 prisoners only under their principle of "Bushido;" that  
16 the principles of the Geneva Convention would be  
17 applied only when it suited them, and that prisoners  
18 of war had no rights whatever.

19 Q On the 13th of April, 1942, did you take  
20 command of a prisoner of war camp?

21 A On the 13th of April, 1942, I was brought to  
22 Batavia and placed in Cycle Camp where I assumed  
23 command of the 2600 Allied prisoners of war in the  
24 camp. That consisted at that time of Americans, British  
25 and Australians.

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1 Q What was the housing provided for the troops?

2 A We were housed in a Dutch barracks built to  
3 accommodate one thousand native troops. The number  
4 of prisoners in the camp varied from time to time  
5 reaching a maximum of 4,900; but at no time were any  
6 extra buildings or kitchens or sanitary arrangements  
7 provided.

8 Q Shortly after your arrival, did any extra  
9 prisoners, survivors from any ships, arrive?

10 A Shortly after my arrival approximately five  
11 hundred officers and ratings, survivors from the  
12 "Perth" and the "Houston" were brought into the camp.  
13 They were in a pitiful state of neglect and ill-health.  
14 They were semi-naked, most of them, and a large number  
15 of them were unable to walk without assistance.

16 Q Had they received any medical attention?

17 A They had received no medical attention since  
18 their capture on the 1st of March; and practically every  
19 man was suffering from malaria or dysentery or both.  
20 I had to put practically everyone of them into my camp  
21 hospital the same day they arrived. I applied to the  
22 Japanese for blankets, clothing, towels, soap, et  
23 cetera, for them. They were all degradingly dirty.  
24 The application was refused.

25 Q What about drugs and medicines?



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1       A    I applied for extra drugs and medicines for  
2   them. This also was refused.

3       Q    What have you to say about the issue of food  
4   and medicines generally in that camp?

5       A    The food at all times was completely inade-  
6   quate and all prisoners in the camp began to lose  
7   weight very rapidly. At no time did we receive anything  
8   approaching the quantity of food approved for prisoners  
9   of war by the Japanese. Practically no medicines were  
10   issued to us by the Japanese authorities, and after  
11   the few drugs we had brought with us into the camp  
12   were finished, we were practically without drugs  
13   until we managed to get them into camp by our own  
14   means from outside sources in Batavia. I made frequent  
15   protests both written and verbally over the shortage  
16   both of food and drugs, but never received any satis-  
17   faction in regards to same.

18       Q    What was the position with regard to the  
19   health and physical condition of the prisoners of  
20   war up to the time you left that camp?

21       A    Sickness was very frequent in the camp,  
22   including at least two severe epidemics of dysentery.  
23   The health, generally, of the troops was steadily deteri-  
24   orating and a large number died.

25       Q    What was the attitude of the Japanese towards



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1 physical punishment of prisoners?

2 A Discipline was very harsh in the camp.  
3 Physical beatings-up and brutalities were a very  
4 frequent occurrence.

5 Q Were protests made about that?

6 A I made constant protests in writing and  
7 verbally both to the camp commandant and to staff  
8 officers from Japanese Headquarters, but I never at  
9 any time received any satisfaction or any lessening  
10 of the physical brutalities.

11 Q In June, 1942, did any mass punishment occur?

12 A In June 1942 I was ordered to obtain the sig-  
13 nature of every prisoner in the camp to a form promising  
14 instant obedience to every order of the Japanese Army.  
15 Every officer and every enlisted man in the camp  
16 refused to sign the form unless the words "subject  
17 to the oath of allegiance we have already taken" was  
18 added to the form. On the 3rd of July of 1942 I, in  
19 conjunction with Colonel Searles, the senior American  
20 officer in the camp, informed the camp commandant that  
21 we would obtain the signatures if those words were  
22 added to the form. We were informed that the words  
23 would not be added to the form and the forms must be  
24 signed. That afternoon an order was issued imposing  
25 severe mass punishments on the whole camp, and a very

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1 large number of officers and men were beaten up  
2 and assaulted without any reason whatever being given  
3 for the action. I was sent for by an officer from  
4 Imperial Japanese Headquarters in Java that afternoon,  
5 and informed that unless everyone signed, food and  
6 medicines throughout the camp would be progressively  
7 decreased until we did sign. Next morning notices  
8 were posted throughout the camp that our lives would  
9 no longer be guaranteed. Machine guns were posted  
10 throughout the camp and a large number of extra-armed  
11 guards were brought into the camp. Colonel Searles  
12 and I and all hut commanders were seized by the  
13 sentries and locked up in the guardhouse. Every other  
14 officer in the camp was marched out of the camp under  
15 heavy armed guard.

16 THE PRESIDENT: We will adjourn until  
17 half-past nine on Monday morning.

18 (Whereupon, at 1600, an adjournment  
19 was taken until Monday, 2 December 1946, at  
20 0930.)

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